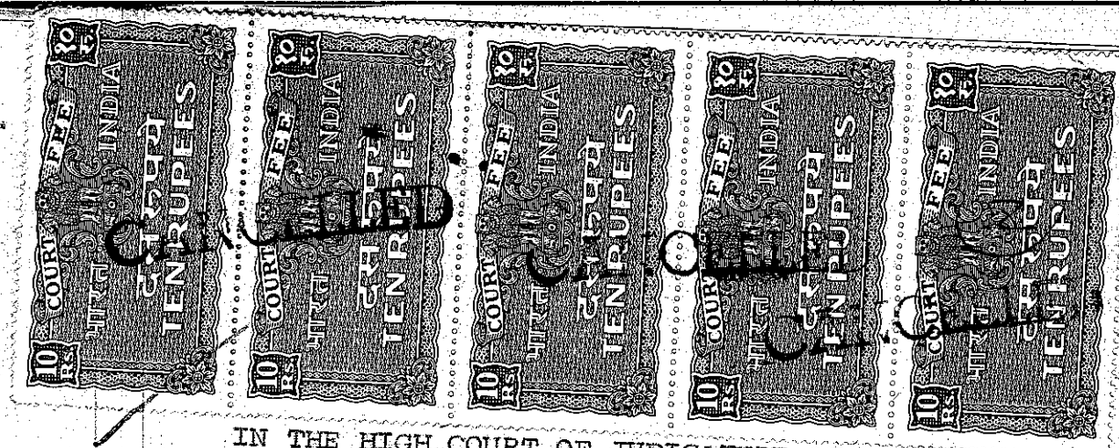


CRIMINAL C.A. Civil

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 2153 OF 2001

BETWEEN

Preet Ram Sahu ,aged about 53years , S/o Shri Kartik Ram Sahu,Sarpanch, Gram Panchayat Kopra, Block Fingeshwar, District Raipur.

PETITIONER

AND

1. State of Chhattisgarh, Through the Secretary Department of Panchayat, D.K.Building, Raipur.

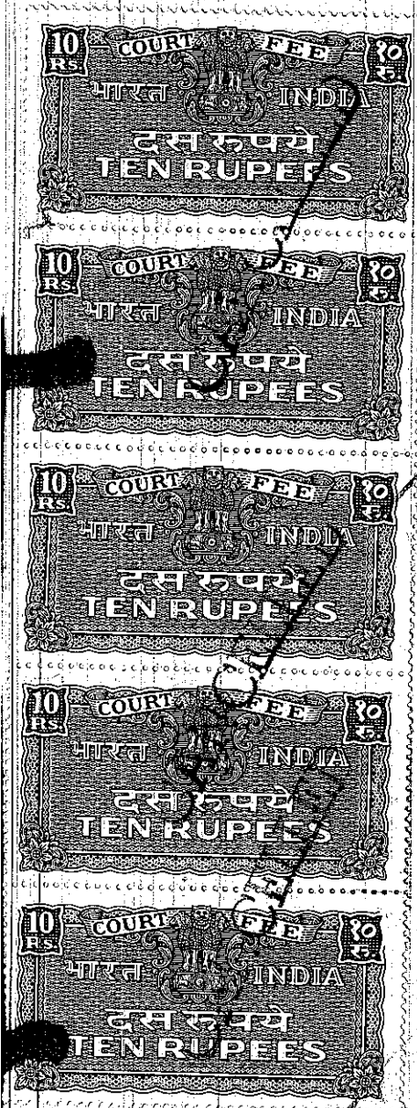
2. Sub Divisional Officer, Gariyabandh, District Raipur.

3. Chief Executive Officer, Janpad Panchayat Fingeshwar District Raipur.

Shri Onkar Singh, Up Sarpanch, Gram Panchayat Kopara, Block Fingeshwar district Raipur.

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA



XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(33)

आदेश पत्रक

मामला क्रमांक W.P 2153/01 सन् 200

.....विरुद्ध.....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	4.12.2001	

Shri Awadh Tripathi learned counsel for the petitioner.

Shri Rajiv Shrivastava learned counsel for the respondents.

The petitioner is aggrieved by the impugned order issued by the S.D.O. removing him from the post of Sarpanch vide order dated 27.9.2001. It has been submitted by Shri Tripathi that though there is appellate authority, because of the delay in disposal , the interest of the writ petitioner is defeated. Hence the petitioner has approached this Court under Article 226/227 of the Constitution of India. Since the alternative remedy is already provided under the relevant provisions applicable to the case of the writ petitioner, I am of the view that the petitioner must exhaust appellate forum provided under section 91 of the Panchayat Raj Adhiniyam. Even otherwise because of shortage of judges early hearing in this High Court can never be guaranteed.

In the result this petition is disposed of with a direction that if the writ petitioner approaches the appellate authority within 7 days from today, the appellate authority shall proceed to hear and dispose of the case expeditiously and not later than 30 days from the date of receipt of the appeal. The delay,if any, in preferring the appeal shall stand condoned.

Certified copy as per rules.

Sd/-
Chief Justice

J